

**3104. Misbranding of Pancrelans Capsules. U. S. v. 11 Bottles \* \* \*.**  
(F. D. C. No. 28709. Sample No. 69461-K.)

**LABEL FILED:** February 6, 1950, Western District of New York.

**ALLEGED SHIPMENT:** On or about January 13, 1950, by the Philadelphia Capsule Co., from Philadelphia, Pa.

**PRODUCT:** 11 100-capsule bottles of *Pancrelans capsules* at Buffalo, N. Y.

**LABEL, IN PART:** (Bottle) "Capsules 100 Pancrelans Approximates Special Pancreas  $3\frac{1}{3}$  Grains Caution—To be used only by or on the prescription of a physician."

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since it failed to bear any directions for use. The article was not entitled to exemption from the requirements of Section 502 (f) (1) and the regulations promulgated thereunder since adequate information for the use of the article was not readily available to physicians because it was inert and adequate information for its use as a drug, therefore, did not exist.

**DISPOSITION:** March 6, 1950. Default decree of condemnation and destruction.

**3105. Misbranding of U-Ca-Lyp-To, U-Ca-Lyp-To Inhaler, Baker's Liquid for Corns and Callouses, Baker's Foot Balm, and Baker's Refined Lanolin Product. U. S. v. 393 Bottles, etc. (F. D. C. No. 28492. Sample Nos. 51970-K to 51974-K, incl.)**

**LABEL FILED:** December 22, 1949, Southern District of Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of September 23 and November 12, 1949, from New York, N. Y.

**PRODUCT:** 393 bottles, ranging in size from 1-ounce to 32-ounces, and 1 1-gallon can, of *U-Ca-Lyp-To*; 468 *U-Ca-Lyp-To Inhalers*; 517  $\frac{1}{4}$ -ounce bottles of *Baker's Liquid for Corns and Callouses*; 126 4-ounce jars and 90 12-ounce jars of *Baker's Foot Balm*; and 37 4-ounce jars of *Baker's Refined Lanolin Product*, at Hamilton, Ohio.

Examination disclosed that the *U-Ca-Lyp-To* was an oil containing aromatics, including eucalyptol and camphor; and the *U-Ca-Lyp-To Inhalers* consisted of a glass tube containing a pledget of cotton, stoppered with a perforated cork; that the *Baker's Liquid for Corns and Callouses* contained salicylic acid, alcohol, ether, and pyroxylin; that the *Baker's Foot Balm* contained aromatics, including menthol, camphor, and eucalyptol; and that the *Baker's Refined Lanolin Product* was a perfumed ointment.

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use in the treatment of the conditions for which they were intended by Ervin G. Baker, their distributor. The articles were misbranded while held for sale after shipment in interstate commerce. The conditions for which the articles were intended were as follows: (*U-Ca-Lyp-To* and *U-Ca-Lyp-To Inhalers*) chronic cough, arthritis, neuritis, neuralgia, rheumatism, sciatica, lumbago, earache, and bleeding gums; (*Baker's Liquid for Corns and Callouses*) bunions, ingrown toenails, and warts; (*Baker's Foot Balm*) swollen ankles and insteps, ringworms, dermatitis, bunions, eczema, and impetigo; and (*Baker's Refined Lanolin Product*) the prevention and treatment of baldness and falling hair.

Further misbranding, Section 502 (b) (1), the label of the *Baker's Refined Lanolin Product* failed to contain the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: March 17, 1950. Default decree of condemnation and destruction.

### DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3106. Adulteration of jalap root and cocillana bark. U. S. v. 12 Bags, etc. (F. D. C. No. 28229. Sample Nos. 57156-K, 57160-K.)

**LIBEL FILED:** October 26, 1949, Southern District of New York.

**ALLEGED SHIPMENT:** During August 1946 and May 1948, from Mexico and Bolivia.

**PRODUCT:** 12 bags, each containing 144 pounds, of *jalap root*, and 36 bales, each containing 90 pounds, of *cocillana bark* at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 501 (a) (1), the articles consisted in whole or in part of filthy substances by reason of the presence of (in the *jalap root*) insects and (in the *cocillana bark*) insect webbing and insect excreta, and the *cocillana bark* consisted in whole or in part of a decomposed substance by reason of the presence of mold. The articles were adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 29, 1949. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portions, under the supervision of the Federal Security Agency. All of the *cocillana bark* and 202 pounds of the *jalap root* were subsequently destroyed.

3107. Adulteration of crude drugs. U. S. v. 36 Bags, etc. (F. D. C. No. 28061. Sample Nos. 57121-K, 57122-K, 57124-K to 57141-K, incl., 57143-K, 57144-K, 57148-K, 57150-K to 57153-K, incl.)

**LIBEL FILED:** November 2, 1949, Southern District of New York.

**ALLEGED SHIPMENT:** Between July 1945 and June 1949, from various States in the United States and from various foreign countries.

**PRODUCT:** 36 130-pound bags of *jalap root*; 159 92-pound bags of *flaseed husk*; 76 100-pound bags of *colombo root*; 56 165-pound bags of *scammony root*; 13 bales and 3 bags, containing a total of approximately 5,720 pounds, of *yellow dock root*; 24 bales, containing a total of approximately 9,015 pounds of *spikenard root*; 16 bags, each containing 120 pounds, and 7 200-pound bales, of *sarsaparilla root*; 8 50-pound bags of *blue flag root*; 26 110-pound bags of *angelica root*; 14 78-pound bags of *agaric root*; 141 313-pound bales of *licorice root*; 10 66-pound bags of *belladonna root*; 20 75-pound bags of *angelica seed*; and 6 105-pound bags of *dog grass root*, at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 501 (a) (1), the articles consisted in whole or in part of filthy substances by reason of the presence of insects. The articles were adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 29, 1949. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation and destruction of the unfit portions, under the supervision of the Federal Security Agency. The segregation operations resulted in the destruc-